

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|  |   |                                    |
|--|---|------------------------------------|
|  | X |                                    |
| CITY OF ROSEVILLE EMPLOYEES'           | : | Civil Action No. 1:09-cv-08633-JGK |
| RETIREMENT SYSTEM, on Behalf of Itself | : | <b>(Consolidated)</b>              |
| and All Others Similarly Situated,     | : |                                    |
|  | : | <u>CLASS ACTION</u>                |
| Plaintiff,                             | : |                                    |
|  | : | LEAD PLAINTIFFS' NOTICE OF MOTION  |
| vs.                                    | : | AND MOTION FOR FINAL APPROVAL OF   |
|  | : | SETTLEMENT AND PLAN OF             |
| ENERGYSOLUTIONS, INC., et al.,         | : | DISTRIBUTION OF SETTLEMENT         |
|  | : | PROCEEDS, AND AWARD OF             |
| Defendants.                            | : | ATTORNEYS' FEES AND EXPENSES AND   |
|  | : | LEAD PLAINTIFFS' EXPENSES          |
|  | X |                                    |

PLEASE TAKE NOTICE that Lead Plaintiffs hereby move the Court for entry of orders and/or judgments (1) finally approving the settlement of the captioned litigation, (2) approving the Plan of Distribution of settlement proceeds, (3) awarding Lead Counsel attorneys' fees of 27% of the Settlement Fund, plus expenses incurred in the litigation, and (4) awarding Lead Plaintiffs' expenses. This Motion is based upon the Revised Settlement Agreement dated as of November 19, 2012 and the Exhibits annexed thereto, the Memorandum of Law in Support of Motion for Final Approval of Settlement and Plan of Distribution of Settlement Proceeds, the Memorandum of Law in Support of Motion for an Award of Attorneys' Fees and Expenses and Lead Plaintiffs' Expenses, the declarations filed in support thereof, and all other proceedings herein. Accordingly, Lead Plaintiffs, by and through Lead Counsel, will request this Court, before the Honorable John G. Koeltl, United States District Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York on March 15, 2013, at 2:30 p.m., to enter final judgment and orders finally approving the settlement, approving the Plan of Distribution, awarding Lead Counsel the requested attorneys' fees and expenses and Lead Plaintiffs' expenses.

DATED: January 18, 2013

Respectfully submitted,

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& DOWD LLP  
SAMUEL H. RUDMAN  
DAVID A. ROSENFELD  
EVAN J. KAUFMAN  
WILLIAM J. GEDDISH

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s/ Evan J. Kaufman  
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Additional Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on January 18, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 18, 2013.

s/ Evan J. Kaufman

EVAN J. KAUFMAN

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## Mailing Information for a Case 1:09-cv-08633-JGK

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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